

FILED

APR 29 2019

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

CARMELO REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY gmm DEPUTY

Rashawn McKinley,  
Kentrell Williams  
(Enter the full name of the plaintiff.)

v.

Case No. \_\_\_\_\_  
(Court Clerk will insert case number)

- (1) Lieutenant E. Hebert,  
(2) Lieutenant Hall,  
(3) Mrs. Beaming.

(Enter the full name of each defendant. Attach additional sheets as necessary.)

**PRO SE PRISONER CIVIL RIGHTS COMPLAINT**

Initial Instructions

1. You must type or legibly handwrite the Complaint, and you must answer all questions concisely and in the proper space. Where more space is needed to answer any question, you may attach a separate sheet.
2. You must provide a full name for each defendant and describe where that defendant resides or can be located.
3. You must send the original complaint and one copy to the Clerk of the District Court.
4. You must pay an initial fee of \$400 (including a \$350 filing fee and a \$50 administrative fee). The complaint will not be considered filed until the Clerk receives the \$400 fee or you are granted permission to proceed *in forma pauperis*.
5. If you cannot prepay the \$400 fee, you may request permission to proceed *in forma pauperis* in accordance with the procedures set forth in the Court's form application to proceed *in forma pauperis*. See 28 U.S.C. § 1915; Local Civil Rule 3.3.

Defendant(s)

- 4) Core Civic medical staff
- 5) Case Contactor Light
- 6) Commanding Officer Lee
- 7) Sergeant Vansteenberg
- 8) Commanding Officer Beard
- 9) Core Civic ~~sort~~ Sort team.
- 10) Commanding officer Gavin
- 11) Unit manager Battles

- If the court grants your request, the \$50 administrative fee will not be assessed and your total filing fee will be \$350.
- You will be required to make an initial partial payment, which the court will calculate, and then prison officials will deduct the remaining balance from your prison accounts over time.
- These deductions will be made until the entire \$350 filing fee is paid, **regardless of how the court decides your case.**

7. The Court will review your complaint before deciding whether to authorize service of process on the defendants. *See* 28 U.S.C. §§ 1915(e)(2), 1915A; 42 U.S.C. § 1997e(c)(1). If the Court grants such permission, the Clerk will send you the necessary instructions and forms.

8. If you have been granted permission to proceed *in forma pauperis*, the United States Marshals Service will be authorized to serve the defendants based on information you provide. If you have not been granted permission to proceed *in forma pauperis*, you will be responsible for service of a separate summons and copy of the complaint on each defendant in accordance with Rule 4 of the Federal Rules of Civil Procedure.

## **COMPLAINT**

### **I. Jurisdiction is asserted pursuant to:**

X 42 U.S.C. § 1983 and 28 U.S.C. § 1343(a)(3) (NOTE: these provisions generally apply to state prisoners), or

\_\_\_ *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and 28 U.S.C. § 1331 (NOTE: these provisions generally apply to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

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**II. State whether you are a:**

- ☒ Convicted and sentenced state prisoner  
☐ Convicted and sentenced federal prisoner  
☐ Pretrial detainee  
☐ Immigration detainee  
☐ Civilly committed detainee  
☐ Other (please explain) \_\_\_\_\_

**III. Previous Federal Civil Actions or Appeals**

List each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility.

## 1. Prior Civil Action/Appeal No. 1

## a. Parties to previous lawsuit:

Plaintiff(s): Rashawn McKinley, Kentrell Williams

Defendant(s): Core Civic, Damon Hoininger, Lt E. Hebert, Lt. Hall

Sgt. Plural, Mrs Beaming, Core Civic Medical staff, C/E Light, CO Cee  
Sgt. Vansteenberg, Warden Raymond Byrd, Co Beard, Sgt Adams

b. Court and docket number: USDC Western District / CIV-19-172Cc. Approximate date of filing: 02/22/2019

d. Issues raised: Violations of Civil Rights, Confined conditions  
Medical, Mental health, food,

e. Disposition (for example: Did you win? Was the case dismissed? Was summary judgment entered against you? Is the case still pending? Did you appeal?): Is still pending

## f. Approximate date of disposition: \_\_\_\_\_

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a separate sheet(s).



#### IV. Parties to Current Lawsuit

State information about yourself and each person or company listed as a defendant in the caption (the heading) of this complaint.

1. Plaintiff

Name and any aliases: RaShawn McKinley, Kentrell Williams

Address: 3200 S. Kings Hwy, Cushing, OK 74023

Inmate No.: 746024, 689810

2. Defendant No. 1

Name and official position: E. Hebert / Lieutenant

Place of employment and/or residence: CCF 3200 S. Kings Hwy

Cushing, OK 74023

How is this person sued? ( ) official capacity, ( ) individual capacity, (X) both

3. Defendant No. 2

Name and official position: Lt Hall / Lieutenant

Place of employment and/or residence: CCF 3200 S. Kings Hwy

Cushing, OK 74023

How is this person sued? ( ) official capacity, ( ) individual capacity, (X) both

If there are more than two defendants, describe the additional defendants using this same format on a separate sheet(s).

#### IV. Parties to Current Lawsuit

##### 4) Defendant No.3

Name and Official Position: Mrs Beaming, Phys Doctor

Place of employment and/or residence: CCF, 3200 S. Kings Hwy  
Cushing, OK 74023

How is this person sued? Both

##### 5) Defendant No.4

Name and Official Position: Core Civic medical staff

Place of employment and/or residence: ~~S~~CCF 3200 S. Kings Hwy  
Cushing, OK 74023

How is this person sued? Both

##### 6) Defendant No.5

Name and Official Position: C.C. Light /case contolr

Place of employment and/or residence: ~~S~~CCF, 3200 S. Kings Hwy  
Cushing, OK 74023

How is this person sued? Both

##### 7) Defendant No.6

Name and official Position: C O Lee /commanding officer

Place of employment and/or residence: CCF, 3200 S. Kings Hwy.  
Cushing, OK 74023

How is this person sued? Both

8) Defendant No. 7

Name and official position: SGT Vansteenberg / Sergeant

Place of employment and/or residence: CCF 3200 S. Kings Hwy  
Cushing, OK 74023

How is this person sued? Both

9) Defendant No. 8

Name and official position: C.O Beard / Commanding Officer

Place of employment and/or residence: CCF, 3200 S. Kings Hwy  
Cushing, OK 74023

How is this person sued? Both

10) Defendant No. 9

Name and official position: Core Civic Sort team

Place of employment and/or residence: 3200 S. Kings Hwy  
Cushing, OK 74023

How is this person sued? Both

11) Defendant No. 10

Name and official position: C.O Carlin / Commanding Officer

Place of employment and/or residence: CCF, 3200 S. Kings Hwy  
Cushing, OK 74023

How is this person sued? Both



12) Defendant No 11

Name and official Position: UM Battles / Unit Manager

Place of employment and/or residence: CCF 3200 S. Kings Hwy  
Cushing, Ok 74023

How this Person Sued? Both



**V. Cause of Action**

Instructions

1. *Provide a short and plain statement of each claim.*
  - Describe the facts that are the basis for your claim.
  - You can generally only sue defendants who were directly involved in harming you. Describe how each defendant violated your rights, giving dates and places.
  - Explain how you were hurt and the extent of your injuries.
2. *You are not required to cite case law.*
  - Describe the constitutional or statutory rights you believe the defendant(s) violated.
  - At this stage in the proceedings, you do not need to cite or discuss any case law.
3. *You are not required to attach exhibits.*
  - If you do attach exhibits, you should refer to the exhibits in the statement of your claim and explain why you included them.
4. *Be aware of the requirement that you exhaust prison grievance procedures **before** filing your lawsuit.*
  - If the evidence shows that you did not fully comply with an available prison grievance process prior to filing this lawsuit, the court may dismiss the unexhausted claim(s) or grant judgment against you. *See* 42 U.S.C. § 1997e(a).
  - Every claim you raise must be exhausted in the appropriate manner.
5. *Be aware of any statute of limitations.*
  - If you are suing about events that happened in the past, your case may be subject to dismissal under the statute of limitations. For example, for many civil rights claims, an action must be brought within two years from the date when the plaintiff knew or had reason to know of the injury that is the basis for the claim.

6. *Do not include claims relating to your criminal conviction or to prison disciplinary proceedings that resulted in loss of good time credits.*
- If a ruling in your favor “would necessarily imply the invalidity” of a criminal conviction or prison disciplinary punishment affecting the time served, then you cannot make these claims in a civil rights complaint unless you have already had the conviction or prison disciplinary proceeding invalidated, for example through a habeas proceeding.

Claims

List the federal right(s) that you believe have been violated, and describe what happened. Each alleged violation of a federal right should be listed separately as its own claim.

**1. Claim 1:**

- (1) List the right that you believe was violated:

I. Amendment (Retaliation)

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- (2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

LT E. Hebert

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- (3) List the supporting facts:

Friday, Dec 7, 2018 1730 Rashawn McKinley was in medical pill line getting and talking to inmate (Smith) about a movie that was showing and McKinley was telling inmate (Smith) that's a man dress as a woman. McKinley and inmate (Smith) started to get a little loud. When Lt Hebert and Lt Hassell was walking in the rotunda, Lt Hebert started pacing back and forth in front of central Centrell and singled out McKinley out for saying that's a man McKinley was talking to segregation because of what he said.

- (4) Relief requested: (State briefly exactly what you want the court to do for you.)

Punitive damages for violating my 7 Amendment right of \$5,000 and to be relocated to a different facility in Oklahoma for emotional stress and mental distress.

2. Claim II:

- (1) List the right that you believe was violated:

VIII Amendment

- (2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

C/O Beard, Core Civic sort team

(3) List the supporting facts:

Rashawn McKinley ~~refused to strip~~ was called a "nigger" by C/O Beard while in the shower. McKinley believed this was discrimination against him (McKinley) by telling him to get ~~naked~~ "naked"

So McKinley refused and beard call the sort team to mase and strip McKinley down then put McKinley in a hot cell where McKinley couldn't breathe and having chest pains

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

Punitive damages for violating my VIII Amendment right of \$5000 can relocated to a different facility in Oklahoma. For emotional stress and mental distress.

If there are more than two claims that you wish to assert, describe the additional claims using this same format on a separate sheet(s).

#### VI. Declarations

I declare under penalty of perjury that the foregoing is true and correct.

R. McKinley, Kentreece Weiriams  
Plaintiff's signature

4/24/2019  
Date

I further declare under penalty of perjury that I placed this complaint in the prison's legal mail system, with the correct postage attached, on the 24 day of April, 2019.

Kentreece Weiriams, R. McKinley  
Plaintiff's signature

4/24/2019  
Date



V. Cause of Action

3) Claim III

(1) List the right that you believe was violated:

VIII Amendment (Failure to provide appropriate mental health treatment)

(2) List the defendant(s) to this claim

Doctor Beaming, Core Civic Medical Staff

(3) List the supporting facts

Monday Dec 10, 2018 1200 through Jan 24, 2019 1600

I (Rashawn McKinley) was having issues with my bi-polar disorder depression, anxiety and paranoia of Core Civic staff. I (McKinley) asked Doctor Beaming to help me fix my med (Pills) she didn't.

I (McKinley) informed her (Doctor Beaming) that I was having issues with sleep and that I (McKinley) was only getting 2-3 hours of sleep at night from Dec 7, 2018 until Jan 18, 2019 and at that point I (McKinley) wasn't going to sleep at all after that.

I tried informing her (Doctor Beaming) I (McKinley) was not in my right mind state and hearing voices. Doctor Beaming laughed and kept walking passed cell 113ED over ~~cell~~ (R. McKinley, K. Williams) cell. On Jan 24, 2019 from lack of sleep and the voices in my (McKinley) head told me to commit suicide.

(4) Relief requested:

\$15,000 for suicide attempt, voices in my head still, mental distress

#### 4) Claim IV

(1) List the rights that you believe was violated

VIII Amendment (inadequate medical care)

(2) List the defendant(s) to this claim

c/o Lee, Core Civic medical staff

(3) List the supporting facts: Friday Dec 7, 2018 1845 I (Rashawn McKinley) was put in cell EB 110 with inmate (Kentrell Williams). Since I (McKinley) had just got mased I (McKinley) couldn't breathe due to the mase and hot cell. I (McKinley) went into a paine attack that when inmate (Kentrell Williams) started yelling for c/o Lee to call Core Civic medical for help. When medical (Core Civic medical staff) came I (R. McKinley) was still having a paine attack and losing consciousness that when the nurse (Core Civic medical staff) ~~told~~ me to sick my arm out to do vitals sign check since I (McKinley) was having a paine attack and shaking because of that the nurse (Core Civic medical staff) couldn't properly get my (McKinley) vital signs. Then I (McKinley) losing consciousness gasping for air the nurses (Core Civic medical staff) and c/o Lee stood there ~~and~~ watching doing nothing. That's when ~~my~~ inmate (K. Williams) asked the nurse (Core Civic medical staff) and c/o Lee "what ~~are~~ are yall going to do just sit there and let him die". That's when the ~~nurse~~ <sup>nurse</sup> (Core Civic medical staff) told inmate (K. Williams) to "shut the hell up" Then close the bean hole and walked off. I (McKinley) lost consciousness when I (McKinley) came too inmate (Williams)



was fanning me (mckinley) and throwing water on me (mckinley)  
Inmate K. Williams told me (mckinley) everything about what  
happened the passed 20 minutes I (mckinley) was on conscience.

(4) Relief requested

\$15,000 for actual damages for chest pain, trouble breathing and  
lost of consciousness, mental and emotional distress

5) Claim V

(1) List the right that you believe was violated

I Amendment (retaliation), VIII Amendment (excessive force)

(2) List defendant(s) to this claim:

UM Battles, STG Plural, LT Hall, SGT Vansteenbrug

(3) List the supporting facts: Wednesday Dec 19, 2018 1000 Kentrell Williams  
was taken from cell EB116 to a Segregation meeting where they  
(LT Hall, UM Battles) Told (Kentrell Williams) he's going in the phase program  
for a year old class x write up and not complying with STG Plural  
On the way he informed LT Hall he (Williams) <sup>said</sup> ~~said~~ he's refusing the  
Phase Program because he was promised he was going back to DN  
on Wednesday for 2 weeks in a row by LT Hall, and STG Plural During  
the response SGT Vansteenbrug was walking in the Echo rotunda  
ran over to help and put his fingers inside the handcuffs where  
Kentrell Williams had pains in his hands and arm and forced him

(Williams) to ED cell 113. where Kentrell Williams had numbness in his arms and hands and cuff marks for a week.

(4) Relief requested

Punitive damages for violating ~~the~~ Williams I, VIII Amendment rights of \$5,000 and to be relocated to a different facility in Oklahoma. For actual damages and mental and emotional distress

(6) Claim VI

(1) List the rights you believe was violated

VIII Amendment (Conditions of Confinement) I Amendment (retaliation)

(2) List the defendant(s) to this claim

UM Battles, C/C Light, C/O Gavin, Core Civic Medical staff.

(3) List the supporting facts:

Monday Jan 1, 2019 I (Rashawn McKinley) pressed the hot water button to wash my hands after 3 hours the hot water started turning to boiling hot water we informed C/O Gavin who said "He (C/O Gavin) put in a work order and told UM Battles and C/C Light about the water." after two days of drinking hot boiling water we (R. McKinley, and K. Williams) started feeling light headed, Dry Mouth, and tired so we asked SGT King "to cut the hot water off so we could drink cold water." He (SGT King) couldn't. The next day we started drinking cold water from the toilet after we seen no one was trying to help us (R. McKinley, K. Williams) cut the



Stop the boiling hot water on the ~~5<sup>th</sup>~~ 5<sup>th</sup> Day we (R. McKinley, K. Williams) began having stomach pains after the 6<sup>th</sup> days C/O Grey was walking passed with core civic medical (Nurse Bohannon) and stopped and ~~she~~ seen Kentrell Williams in the toilet can asked "What are you doing?" Kentrell Williams then showed him the conditions of our (R. McKinley, K. Williams) confinement. He (K. Williams) then went back to the toilet scooped out a cup of water out the toilet and showed him (C/O Grey) the water in the cup and drunk it in front of C/O Grey. C/O Grey then said "He would write a 5-1C about the lack of assistance of his (C/O Grey) fellow officers and staff." Nurse Bohannon (core civic medical staff) told us (R. McKinley, K. Williams) to put in sick calls. Kentrell Williams had bacteria in his stomach and Rashawn McKinley was treated of abdominal pain from drinking the toilet water until core civic maintenance ~~came~~ <sup>Came</sup> and fixed the sink on Jan 10, 2019.

(4) Relief requested

Punitive damages of \$15,000 for violating McKinley, Williams rights  
 \$5,000 for actual damages done to both McKinley, Williams stomach

## 7) Claim VII

(1) List the rights that you believe was violated

I Amendment (retaliation) VIII Amendment

(2) List the defendant(s) to this claim

C/C Light, LT Hall

(3) List the supporting facts:

Wednesday Dec 19, 2018 1030 Rashawn McKinley and Kentrell Williams was taken from cell ED110 to ED113 before lunch. As they (R. McKinley, K. Williams) was waiting for lunch. When lunch was being pass out they (R. McKinley, K. Williams) was skipped. When asked C/O Norman she told both (R. McKinley, K. Williams) was on food port restriction by C/C Light and LT Hall. ~~and told~~ She (C/O Norman) was told "Not to feed them" when C/C Light did his rounds. R. McKinley and K. Williams asked him "why did you tell C/O Norman that we was on food port restriction?" C/C Light then decide that he said "anything like that to her" That's ~~when~~ Inmate Williams said "why did C/O Norman tell us that?" C/C Light said "LT Hall said put y'all on food port restriction, and not to feed y'all." Then R. McKinley and K. Williams started kicking and beating on the door. When Aw Ensy and Aw Miller came and asked "why are y'all beating on the door?" Inmate R. McKinley informed him we (R. McKinley, K. Williams) haven't been feed since breakfast and she (C/O Norman) skipped us on lunch trays!" also telling him (Aw Ensy) "we accused of being on food port restriction by LT Hall and C/C Light." Aw Ensy said "he would check into it."



(4) relief requested:

Punitive damages of \$5,000 for violating McKinley, Williams rights  
\$15,000 actual damages done to both McKinley, Williams for mental and emotional distress.

8) Claim VIII

(1) List rights that you believe was violated

VIII Amendment

(2) List the defendant(s) to this claim

LT Hall, C/o Light, UM Battles, C/o Lee

(3) List the supporting facts:

Thursday Dec 6, 2018 Through Dec 24, 2018 Kentrell Williams was given one pair of orange pants and state hygiene supply by C/o Hicks on Dec 6, 2018 after he was stripped of "blue clothing" was taken. On Dec 7, 2018 Rashawn McKinley after being mased by core civic sort team and stripped of all clothing except his (McKinley) mased boxers and put in cell 110 EB with inmate K. Williams. Where, He (R. McKinley) was given a wash rag by the pod orderly and inmate K. Williams give R. McKinley a big drying towel. The orderly came back 30 mins later and give McKinley a ~~dirty~~ pair of orange pants and one orange over shirt. The orderly said "He (orderly) told C/o Lee that you (McKinley) needed clothes, and what he (orderly) give me (McKinley)". They (C/o Lee, Core Civic sort team, and Core Civic medical) didn't give McKinley no soap, shower, or shower shoes

to wash the mase off for 2 days. I (R. McKinley) didn't have no shower shoe soap, or change of underwear. I kept asking for clothes from C/O Lee, SGT King, SGT Sneed kept telling us (R. McKinley, K. Williams) "That they (C/O Lee, SGT King, SGT Sneed) told C/O Light, Um Battles and LT Hall to get a key to get us (K. Williams, R. McKinley) more clothes." We (R. McKinley, K. Williams) was then told by C/O Light "that he don't have a key," and LT Hall has been informed and "she (LT Hall) would personally go get them (R. McKinley, K. Williams) and bring them herself (LT Hall)."

after that we (R. McKinley, K. Williams) see Um Battles and told him (Um Battles) about the clothing and he (Um Battles) said "He would personally go get us (R. McKinley, K. Williams) some more clothes to wear." We (R. McKinley, K. Williams) never eld. Bumps started showing up on our (R. McKinley, K. Williams) legs on Dec 22, 2018 still no change of clothing untill Dec 24, 2018.

#### (4) Relief requested

Punitive damages for violating our (R. McKinley, K. Williams) rights of \$5,000 and to be relocated to a different facility in Oklahoma for emotional stress and mental distress.

#### 9) Claim IX

##### (1) List the rights that you believe was violated

VIII Amendment (

##### (2) List the defendant(s) to this claim

Core Civic Medical staff, Doctor Ms. Beaming



## (3) List the supporting facts:

Friday Dec 7, 2018 through Jan 21, 2019 Core Civic medical staff stopped giving inmate (Kentrell Williams) his nightly psych meds for weeks at a time. After 3 days of lack of meds and Core Civic Medical staff told Williams "that the Psych Doctor Hennegen has stopped his (Williams) Pills.". After a week of asking for his (Williams) meds he started informing Core Civic medical staff, "He (Williams) was not in his right state of mind." Williams began seeing things that wasn't there and hearing voices, and becoming hostile with staff. Putting both (R. McKinley and K. Williams) in a hostile environments and increased the inmate (R. McKinley) on inmate (K. Williams) violence. Then Williams started having anxiety attacks. Dec 10, 2018 psych Doctor Ms Beaming was walking through EB I (R. McKinley) told doctor Beaming I (McKinley) was only getting 2 to 3 hours of sleep and needed my (McKinley) meds and they (Core Civic Medical staff) has not been bring inmate Williams his meds either.

## (4) Relief requested

Punitive damages for violating our (R. McKinley, K Williams) rights of \$15,000 and relocated to a different facility in Oklahoma for emotion stress and mental distress.